

Docket: 05002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAIL STOP AMENDMENT

Mary TONIOLO

Group Art Unit: 3709

Serial No.: 10/519,842

Examiner: WERT, J. P.

Filed: January 12, 2005

For: A DANCE TRAINING DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This is in response to the requirement for restriction that was made under 35 U.S.C. §121 on April 11, 2007.

The Office has required restriction in the present application as follows:

Group I, claims 1-25, drawn to an apparatus comprising one or more mats with indicia and a balancing device;

Group II, claims 26-43, drawn to an electronic system for training a dancer; and

Group III, claims 44-47, drawn to a method of training a dancer.

Applicant hereby elects to prosecute, with traverse, the invention of Group I, claims 1-25, drawn to an apparatus comprising one or more mats with indicia and a balancing

device.

Applicant respectfully traverses the restriction requirement on the grounds that the Office has not shown even a *prima facie* case that a serious burden would be placed on the Examiner if the inventions of Groups I, II, and III were to be examined together. Accordingly, since it has not been shown by the Office that a serious burden would be placed on the Examiner if the inventions of Groups I, II, and III were to be examined together, Applicant submits that restriction cannot be properly maintained between Groups I, II, and III. The restriction requirement is clearly improper, and it should be withdrawn.

It is believed that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

By:



Malcolm J. MacDonald
Reg. No. 40,250
(703) 837-9600 Ext. 24